

MAY 10 2006

## CERTIFICATE OF FACSIMILE TRANSMISSION [37 C.F.R. 1.8(A)]

I hereby certify that this correspondence is being faxed to the Commissioner for Patents, United States Patent Office, Board of Patent Appeals and Interferences, Fax No. 571-273-8300, on MAY 10, 2006.

By Carole GiacomazzoSignature: Carole Giacomazzo

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Barker et al

) Examiner: Eric Chang

Serial No. 09/839,179

) Art Unit: 2116

Filed: April 19, 2001

) Confirmation No. 1524

For: **POWER CONSERVATION IN  
COMMUNICATION SYSTEMS**

Docket No. RAL919990168US1 (IRA-10-5853)

Mail Stop Reply Brief - Patents  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL OF REPLY BRIEF

Sir:

Transmitted herewith for filing in the above-identified Application is **APPELLANTS' REPLY BRIEF**.

- ☒ No additional fee is required.
- ☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 50-0563. A duplicate copy of this sheet is enclosed.
- ☒ Any additional filing fees required under 37 C.F.R. §1.16.
- ☒ Any patent application processing fees under 37 C.F.R. §1.17.

Respectfully submitted,

By William N. Hogg  
William N. Hogg, Reg. No. 20,156  
CUSTOMER NO. 26673

WNH:cg  
Attachment

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Respectfully submitted,

By *William N. Hogg*  
William N. Hogg, Reg. No. 20,156  
CUSTOMER NO. 26675

WNH:cg  
Attachment

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## APPELLANTS' REPLY BRIEF

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Dear Sir:

The examiner filed an Answer to the Appeal Brief on March 13, 2006. This Reply Brief is in response thereto.

In reply to the examiner's Answer, it is submitted that Edem does not teach or suggest a low-power mode where *data is transferred*. Rather, Edem shows a *holding* low-power mode *wherein no data is transferred*. This is clearly brought out in the Edem patent, Col. 12, line 64 – Col. 13, line 5, as follows:

“Finally, there are the actual communication protocol states, such as the low power mode 204 of the present invention, a full-capacity high-speed multi-service mode 206, such as the iso-ethernet mode described above with respect to FIGS. 1 through 5, an Ethernet 10BASE T mode 205, and possibly a very low power link hold mode 208 in which periodic pulses are exchanged to indicate that the link is still established, but during which no data is transmitted.”

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1

This is typically characteristic of a 10BASE T mode. Appellants claim *data transfer in all modes, both low-power and high-power*.

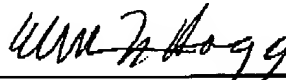
Additionally, Edem can switch to low-power only in response to diminished signals; appellants, on the other hand, claim the ability to switch to the low-power mode based on operator commands, or time of day, or diminished signal traffic, or combinations thereof. Such is not suggested by Edem.

Thus, for these reasons, the claims are clearly allowable over Edem.

Respectfully submitted,

Date: \_\_\_\_\_

5/10/06



William N. Hogg, Reg. No. 20,156  
Attorney for Appellants

CUSTOMER NO. 26675

WNH:cg